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EXTRAORDINARY

PART II—Section 1

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MINISTRY OF LAW

New Delhi, the 16th January 1954

The following Act of President is published for general information:—

THE PATIALA AND EAST PUNJAB STATES UNION TOWNSHIPS DEVELOPMENT BOARD ACT, 1954

No. 3 OF 1954

[16th January, 1954]

An Act to provide for the establishment of a Development Board for the purposes of constructing and developing townships at suitable places in the State and settling therein displaced persons and for other matters connected therewith.

In exercise of the powers conferred by section 3 of the Patiala and East Punjab States Union State Legislature (Delegation of Powers) Act, 1953 (22 of 1953), the President is pleased to enact as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Patiala and East Punjab States Union Townships Development Board Act, 1954.

(2) It extends to the whole of the State of Patiala and East Punjab States Union.

(3) It shall come into force at once.

2. Definitions.—(1) In this Act, unless the context otherwise requires,—

(a) “Board” means the Patiala and East Punjab States Union Townships Development Board established under section 3;

(b) “Chairman” means the Chairman of the Board;

(c) “displaced person” means any person who, on account of the setting up of the Dominions of India and Pakistan or on account of civil disturbances or the fear of such disturbances in any area now forming part of Pakistan, including any State which has acceded to Pakistan, has been displaced from, or has left his place of residence in such area and who has subsequently been residing in any part of India;

(d) “member” means a member of the Board and includes the Chairman;

(e) “prescribed” means prescribed by rules made under this Act;

(f) “township” means any town to be constructed and developed by the Board in any part of the State for the settlement of displaced persons therein.

(2) Words and expressions used and not defined in this Act, but defined in the Punjab Municipal Act, 1911 (Pun. Act III of 1911), as in force in the State of Patiala and East Punjab States Union, shall have the same meanings as are respectively assigned to them in the said Act.

CHAPTER II

ESTABLISHMENT AND INCORPORATION OF THE BOARD

3. Establishment and incorporation of the Board.—(1) The State Government may, by notification in the Official Gazette, establish a Board to be called the Patiala and East Punjab States Union Townships Development Board, for the purposes of constructing and developing townships at such places in the State as it deems fit, settling therein displaced persons, exercising such other powers and discharging such other functions as are conferred on, or may be assigned to, the Board by or under this Act.

(2) The Board shall be a body corporate by the name aforesaid having perpetual succession and a common seal, with power, subject to the provisions of this Act and the rules made thereunder, to acquire, own or transfer property, both movable and immovable, and may by the said name sue and be sued.

4. Constitution of the Board.—(1) The Board shall consist of seven persons to be appointed as follows, namely:—

(a) a Chairman to be appointed by the State Government after consultation with the Central Government;

(b) two persons to be appointed by the State Government; and

(c) four persons to be appointed by the State Government after consultation with the Central Government, of whom two shall be displaced persons settled in any township or townships.

(2) The names of members appointed under sub-section (1) shall be published in the Official Gazette and every such appointment shall take effect from the date on which it is so published.

5. Terms and conditions of office of members.—(1) The terms of office of the Chairman and other members shall be such as may be prescribed.

(2) The Chairman or any other member may resign his office by writing under his hand addressed to the State Government but his resignation shall take effect from the date on which it is accepted and notified in the Official Gazette.

(3) A member shall hold office during the pleasure of the State Government:

Provided that neither the Chairman nor any member appointed by the State Government after consultation with the Central Government shall be removed from office except after consultation with that Government.

(4) A casual vacancy caused by resignation, death or removal of a member or for any other reason shall be filled by fresh appointment in accordance with the provisions of section 4.

6. Committees of the Board.—(1) The Board may, from time to time, with a view to give effect to the purposes of this Act appoint one or more Committees consisting of such persons as it thinks fit.

(2) The Board may—

(a) refer to such Committee for inquiry and report any matter relating to any of the purposes of this Act;

(b) delegate to such Committee, by a specific resolution and subject to any rules made in this behalf, any of the powers or duties of the Board relating to the subject-matter for which such Committee has been appointed.

(3) The Board may, at any time, for reasons to be recorded, dissolve or alter the constitution of any such Committee.

(4) Every Committee shall carry out any instruction given to it by the Board, and every final decision of such Committee shall, subject to any rule to the contrary, be laid before the Board for confirmation.

7. Vacancies amongst members or defects in the constitution not to invalidate acts or proceedings of the Board or Committee.—No act or proceeding of the Board or of any of its Committees shall be invalid by reason only of the existence of any vacancy amongst its members or any defect in the constitution thereof.

8. Disqualifications for appointment as members.—(1) No person who, directly or indirectly, by himself or by any partner, has any share or interest, in any contract with, by or on behalf of the Board, or in any business, industry or concern, connected with the construction and development of a township under this Act except as a share-holder (other than a director or managing agent) in an incorporated company, or holds any office of profit under the Board, shall become or continue to be a member of the Board:

Provided that no such member shall be deemed to have any share or interest in any such contract by reason only of his being—

(a) a share-holder in, or a member of, any incorporated or registered company with which any such contract has been entered into by the Board; or

(b) a person to whom the Board has sold, leased, let out on hire or allotted any property.

(2) Subject to the proviso to sub-section (3) of section 5, the State Government may, by notification in the Official Gazette, remove from office any member of the Board who, in its opinion, is or becomes, subject to any of the disqualifications hereinbefore mentioned.

9. Meetings of the Board.—(1) The Board shall meet at such times and places, and shall, subject to the provisions of this section, observe such rules of procedure in regard to transaction of business at its meetings as may be prescribed:

Provided that the Chairman may, whenever he thinks fit, and shall, upon the written request of not less than two members, call a special meeting.

(2) The quorum necessary for the transaction of business at a meeting of the Board shall be three members:

Provided that where the business to be transacted at any such meeting involves the preparation of any scheme under Chapter III, the quorum shall be four.

(3) The Chairman or in his absence, any member chosen by the members present from among themselves, shall preside at a meeting of the Board.

(4) All questions at any meeting of the Board shall be decided by a majority of the votes of the members present and voting, and in the case of an equality of votes, the Chairman or in his absence, the person presiding, shall have and exercise a second or casting vote.

(5) Minutes of the proceedings of each meeting (together with the names of the members present) shall be recorded in a book to be provided for the purpose, and shall be signed by the person presiding at the next ensuing meeting, and the minutes shall be circulated to each member and shall, at all reasonable times, be open to inspection by any member during office hours free of charge.

10. Power of Board to associate other persons.—The Board may associate with itself, in such manner and for such purposes as may be prescribed, any person whose assistance or advice it may desire in carrying out any of the provisions of this Act or rules made thereunder; and such person shall have a right to take part in the discussions of the Board relevant to the purpose, but shall not have a right to vote.

11. Officers and servants of the Board.—Subject to the provisions of this Act and any rules made thereunder, the Board may appoint such officers and servants as it considers necessary for the efficient performance of its functions on such terms and conditions of service as it may consider proper.

12. Administrator of the Board.—(1) There shall be an Administrator of the Board who shall be appointed by the State Government after consultation with the Central Government on such terms and conditions as may be prescribed.

(2) The Administrator shall be the *ex-officio* Secretary to the Board and shall have the right to speak at, and otherwise take part in, any meeting, but shall not have the right to vote.

(3) The Administrator shall be the principal executive officer of the Board and all other officers and servants of the Board shall be subordinate to him.

CHAPTER III

FUNCTIONS AND POWERS OF THE BOARD

13. Extent of jurisdiction of the Board.—(1) The jurisdiction of the Board shall extend to every township constructed and developed by the Board under this Act and the State Government may, by notification in the Official Gazette, specify the territorial limits of every such township and the area so specified shall be called the area of operation of the Board.

(2) The State Government may, from time to time, by a like notification, extend or vary the limits of such area of operation of the Board.

(3) The Board shall carry out all or any of its functions and exercise all or any of its powers within the area of its operation.

14. Preparation of a township scheme.—(1) The Board shall, as soon as may be after the area of its operation has been specified in relation to a township under sub-section (1) of section 13, prepare a scheme in the prescribed manner for the construction and development of the township for the purpose of rehabilitating displaced persons and take all such measures as may appear to it to be necessary for carrying out such rehabilitation.

(2) A scheme to be prepared by the Board under sub-section (1) shall, among other things, provide for —

(a) the laying out of the locality to be developed;

(b) the purposes for which particular portions of such locality are to be utilized;

(c) the laying out of streets and buildings;

(d) roads, drainage, sewerage and water-supply, lighting of streets and public health, sanitation and social welfare;

(e) construction of residential or other buildings;

(f) such other matters as may appear necessary to the Board for carrying out the purposes of this Act.

(3) The Board may at any time alter or vary a scheme prepared by it under sub-section (2).

(4) Any scheme for the construction and development of a township prepared by the Board under sub-section (2) or any alteration in or modification of, such scheme under sub-section (3) shall, if so required by the State Government, be submitted by the Board to the State Government for approval.

15. General powers of the Board.—(1) Subject to the provisions of this Act and the rules made thereunder the Board shall have power to do anything, consistent therewith, which may in its opinion be necessary or expedient for the purpose of carrying out its functions under this Act.

(2) Without prejudice to the generality of the foregoing provision, the Board shall have power to—

(a) to acquire and hold such property, both movable and immovable as the Board may deem necessary and to sell, lease or otherwise transfer any such property;

(b) to construct residential or other buildings;

(c) subject to such rules as may be made in this behalf by the State Government after consultation with the Central Government, to advance to a displaced person, or to any other person a loan for industrial or business purposes or for constructing residential or other buildings;

(d) to sell, lease or let out on hire any building or site belonging to the Board to any person on such terms as may be prescribed;

(e) to promote or cause to be promoted any trade, business or industry for the development of the township;

(f) to make provision for drains, sewers, water-supply and the lighting of streets;

(g) to undertake measures to promote public health, sanitation, education and social welfare and to promote or operate schemes of water-supply, drainage and irrigation;

(h) to perform such other functions as may be prescribed.

16. Amount due to the Board to be first charge.—Notwithstanding anything contained in any law for the time being in force, where a loan has been advanced to a displaced person under clause (c) of sub-section (2) of section 15, or where a building or site has been sold or leased or let out on hire under clause (d) of that sub-section to any person, the amount due to the Board on account of the loan, sale, lease or hire together with any interest thereon, shall be a first charge on the building, machinery, stock and other assets belonging to such person.

17. Powers of the Board to apply certain provisions of the Punjab Municipal Act to townships.—The State Government may, by notification in the Official Gazette, apply to any township or a part thereof, with such adaptations and modifications not affecting the substance as may be specified in the notification, all or any of the provisions of sections 61 to 79, 82 to 92, 96 to 110, 113 to 121, 121A, 122, 123, 125 to 168, 170 to 170F, 172 to 185, 188 to 197, 199, 201 to 207, 209, 220 to 222, 224 to 228 and 230 of the Punjab Municipal Act, 1911 (Pun. Act III of 1911), as for the time being in force in the State of Patiala and East Punjab States Union in so far as such provisions are not inconsistent with the provisions of this Act.

18. Power to call for repayment before agreed period.—Notwithstanding any agreement to the contrary, the Board may, by notice, require any person to whom a loan has been advanced under this Act to repay forthwith in full with interest thereon any such loan—

(a) if it appears to the Board that false or incorrect information in any material particular has been given by the person for obtaining the loan; or

(b) if the person has failed to comply with any terms of the contract with the Board in respect of the loan; or

(c) if in the opinion of the Board there is a reasonable apprehension that the person is unable to pay his debt or that insolvency proceedings or proceedings for liquidation are to be started against him; or

(d) if it is necessary in the opinion of the Board for any other reason to protect the interests of the Board.

19. Mode of recovery of loan.—If the amount of any loan or any instalment thereof or any interest thereon which has become due to the Board in accordance with the terms of the contract or under the provisions of this Act, has not been repaid, then,—

(a) without prejudice to any other remedy provided by law, such loan, instalment or interest may be recovered as arrears of land revenue, or

(b) where such loan was taken for the purposes of trade, business or industry, the Board may, subject to such rules as may be made in this behalf by the State Government after consultation with the Central Government, take charge of the trade, business or industry of the person on such terms and conditions as may be agreed upon.

20. Power of inspection.—(1) The Administrator or any officer empowered by the Board in writing in this behalf may, by order, require any person to whom a loan has been advanced or to whom a building or site has been leased or let out on hire to furnish such information or to produce such books of accounts and other documents for inspection at such time and place as may be specified in the order and such person shall comply with such order.

(2) The Administrator or the other officer so empowered may inspect such books of accounts or documents produced and take extracts therefrom.

(3) The Administrator or such other officer making the inspection or any person working under his orders, shall not communicate or allow to be communicated to any person not legally entitled thereto any information relating to the affairs of such person.

(4) If any person contravenes the provisions of sub-section (1) or sub-section (3), he shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

21. Recovery of arrears of taxes and other sums as arrears of land revenue after notice.—(1) If any person fails to pay on the date on which payment is due, any tax, or any instalment of any tax, or any fee or any other sum (not being a loan) due to the Board under this Act, or due to the Board as rent for any movable or immovable property under the control of the Board, the Board shall ordinarily within fifteen days after such date, cause a notice of demand to be served on such person or delivered at or affixed to his place of residence, or addressed by registered post to such place of residence or any other place where he may be known to reside and if no payment is made until the expiry of three weeks from the date of the issue of such notice, the amount of the arrear claim may if certified by the Administrator, be recovered as arrears of land revenue.

(2) Any postal charges incurred or any fee leviable for the notice of demand under sub-section (1) may be added to the arrear claim and recovered as such.

CHAPTER IV

PROPERTY, FINANCE, ACCOUNTS AND AUDIT

22. Vesting of property in the Board.—All property movable and immovable, and all assets and funds owned or acquired by the State Government for the purposes of construction and development of any township at any time before the establishment of the Board, shall, on such establishment and subject to such conditions as may be prescribed, vest in the Board.

23. Expenditure before the establishment of the Board.—All expenditure incurred by the State Government at any time before the establishment of the Board for any of the purposes under this Act shall be deemed to be the expenditure of the Board.

24. Fund of the Board.—(1) The Board shall have its own fund and all grants and advances made to it from time to time by the Central Government or the State Government and all receipts of the Board shall be credited thereto and all payments by the Board shall be made therefrom.

(2) Save as may be prescribed, all moneys belonging to that fund shall be deposited in such scheduled bank or invested in such securities as may be approved by the State Government.

25. Power of the Board to spend.—Subject to such limitations and restrictions on the power of the Board as may be prescribed, the Board shall have power without reference to the State Government to spend such sums as it thinks fit for the purposes of this Act and the rules made thereunder, and such sums shall be deemed to be the expenditure payable out of the fund of the Board:

Provided that no sum shall be expended by or on behalf of the Board unless the expenditure of the same is covered by a current budget grant sanctioned by the State Government.

26. Repayment of loans and interest by Board.—(1) All loans advanced to the Board by the Central Government or the State Government together with the interest accruing thereon at such rate as may, from time to time, be fixed by the Central Government or the State Government, as the case may be, shall be a first charge on the fund of the Board and the Board shall repay such loans with the interest thereon in such manner and in such number of instalments as may be determined by the Central Government or the State Government, as the case may be, and every such repayment shall be deemed to be a part of the expenditure of the Board.

(2) For the purposes of any loan granted to it by the State Government, the Board shall be deemed to be a local authority within the meaning of the Local Authorities Loans Act, 1914 (IX of 1914).

27. Budget.—(1) The Board shall prepare, in such form and at such time as may be prescribed, a budget in respect of every financial year showing its estimated receipts and expenditure during the financial year and submit it to the State Government who may after consultation with the Central Government sanction the budget with such alterations and modifications, if any, as the State Government may deem fit.

(2) A copy of the budget of the Board as so sanctioned shall be forwarded by the State Government to the Central Government.

28. Annual report.—The Board shall, as soon as possible after the close of a financial year, prepare, in such form and before such date as may be prescribed, an annual report (including a statement of its assets and liabilities at the close of that financial year) giving a true and faithful account of its activities during the financial year, and copies thereof shall be submitted by the Board to the State Government and the Central Government.

29. Accounts and Audit.—(1) The Board shall cause to be maintained such books of account and other books in relation to its accounts in such form and in such manner as may be prescribed.

(2) The accounts of the Board shall be audited by such authority (hereinafter referred to in this section as the “auditor”), at such times and in such manner as may be prescribed.

(3) The auditor shall be furnished by the Board with a copy of the annual report (including the statement of its assets and liabilities) for the financial year in respect of which the accounts are to be audited and it shall be the duty of the auditor to scrutinise the statement together with the accounts and vouchers relating thereto and for this purpose, he shall at all reasonable times have access to the relevant books, registers, accounts and other documents of the Board and shall also have power to examine any officer or servant of the Board in relation to such accounts.

(4) The auditor shall prepare a report on the aforesaid report and accounts (including the statement of assets and liabilities) audited by him and forward copies thereof to the State Government and the Central Government together with a statement whether in the opinion of the auditor, the report and accounts are complete and true in all material respects and exhibit a true and correct view of the state of affairs of the Board, and whether any explanation or information from the Board was called for and whether it has been given and whether it is satisfactory.

CHAPTER V

MISCELLANEOUS

30. Directions by the State Government.—The State Government may, after consultation with the Central Government, give to the Board general instructions to be followed by the Board and such instructions may include a direction to the Board regarding the exercise of its powers and performance of its duties under this Act in such manner as may be specified in the direction and such direction shall be binding on the Board.

31. Power to call for return, statement, information, etc.—(1) The Board shall furnish to the State Government at such time and in such form and manner as may be prescribed or as the State Government may direct, such returns and statements and such particulars in regard to any proposed or existing scheme as the State Government may, from time to time, require.

(2) The State Government may at any time by order in writing addressed to the Administrator require the Board to furnish it with such information, statement, report or documents in regard to any matter relating to the functions or acts of the Board or any of its members, officers or servants and the Administrator shall without delay comply with such order accordingly.

32. Power to prohibit execution of resolution, or order of the Board.—The State Government may, after consultation with the Central Government, by order in writing, prohibit the execution or

for execution of a resolution or order passed or made under this Act by the Board, if in the opinion of the State Government such resolution or order is of such nature as to cause or tend to cause obstruction, annoyance or injury to the public or to any class or body of persons lawfully employed, and may prohibit the doing or continuance by any person of any act in pursuance of or under cover of such resolution or order:

Provided that if any such act is in the opinion of the State Government of such nature as to cause or tend to cause a danger to human life, health or safety or a riot or affray or is prejudicial to the public interest, the State Government may, without any such consultation with the Central Government by order in writing, prohibit the doing or continuance by any person of any such act.

33. Emergency Powers of State Government.—(1) If, in the opinion of the State Government an emergency exists, it may direct that any work or act which the Board is empowered under this Act to execute or do, and the immediate execution or doing of which is, in its opinion, necessary for the safety or protection of the public shall forthwith be executed or done and that the expense of executing the work or of doing the act shall be paid out of the fund of the Board.

(2) If the expense ordered to be paid under sub-section (1) is not forthwith paid, the State Government may make an order directing the person having the custody of the balance of the fund of the Board to pay the expense, or so much thereof as may from time to time be possible, from that balance in priority to all other charges against the same.

34. Representation by the Board.—When the State Government has made an order under section 32 or 33, the Board may, within three months of the date of the receipt of such order, make such representation to the State Government as it thinks fit:

Provided that—

(a) where a prohibitory order is passed under section 32 by the State Government after consultation with the Central Government, if no such representation is received within the period specified, or if on consideration of a representation from the Board the State Government, after consultation with the Central Government, is of opinion, that the order of prohibition shall be confirmed, modified or rescinded, the State Government shall pass such order accordingly and the order so passed shall be final;

(b) where a prohibitory order is passed under the proviso to section 32, if no representation is received within the specified period or if, on consideration of a representation, the State Government is of the opinion that the order of prohibition shall be confirmed, modified or rescinded, the State Government shall pass such order accordingly and the order so passed shall be final.

35. Power of Government to supersede Board.—(1) If, in the opinion of the State Government, the Board becomes incompetent to perform, or has persistently made default in the performance of the duties imposed on it by or under this Act, or exceeds or abuses its powers, the State Government may, after consultation with the Central Government, by notification in the Official Gazette, supersede the Board for such period as may be specified in the notification:

Provided that before issuing a notification under this sub-section, the State Government shall give a reasonable time to the Board to show cause why it should not be superseded and shall consider the explanations and objections, if any, of the Board.

(2) When the Board is superseded under sub-section (1), the following consequences shall ensue, namely:—

(a) all the members of the Board shall, as from the date of the supersession, vacate their offices as such members;

(b) all the powers and duties which may, by or under the provisions of this Act, be exercised or performed by or on behalf of the Board shall, during the period of supersession, be exercised and performed by such person or persons as the State Government after consultation with the Central Government may decide;

(c) all property vested in the Board shall, during the period of supersession, vest in the State Government.

(3) On the expiration of the period of supersession specified in the notification under sub-section (1), the State Government may, after consultation with the Central Government—

(a) extend the period of supersession for such further term as it may consider necessary; or

(b) constitute the Board in the manner provided in section 4.

36. Delegation of power.—The Board may, with the previous approval of the State Government, by general or special order in writing, delegate to the Chairman or any other member, officer or servant of the Board, subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and duties under this Act as it may deem necessary for the efficient running of the day-to-day administration of the Board.

37. Authentication of orders and other instruments of the Board.—All orders and decisions of the Board shall be authenticated by the signature of the Chairman or any other member empowered by the Board in this behalf, and all contracts and instruments entered into or made by the Board shall be executed by the Administrator or any other officer of the Board empowered by the Board in this behalf.

38. Dispute.—If any dispute, for the resolution of which this Act does not otherwise provide, arises between the Board and any other

local authority, the matter shall be referred to the State Government and the decision of the State Government thereon shall be final:

Provided that where such dispute exists between the Board and a Cantonment Board, the decision of the State Government shall be subject to the approval of the Central Government.

39. Power of entry.—Whenever it is necessary for the Board to carry out any of its works or to make any survey or examination or investigation, preliminary or incidental to the exercise of powers or the performance of duties by the Board under this Act, any officer or servant of the Board, generally or specially empowered by it, may enter upon any land or premises between sunrise and sunset after giving reasonable notice of the intention to make such entry to the owner or occupier of such land or premises, and at any other time with the consent in writing of the owner or occupier of such land or premises, for the purpose of the carrying out of such works or the making of such survey, examination or investigation.

40. Compulsory acquisition of land for the Board.—Any land required by the Board for carrying out any of the purposes of this Act shall be deemed to be needed for a public purpose and such land shall be acquired for the Board as if the provisions of Part VII of the Land Acquisition Act, 1894 (I of 1894) were applicable to it and the Board were a company within the meaning of clause (e) of section 3 of the said Act.

41. Members, officers and servants of the Board to be public servants.—All members of the Board, and all officers and servants of the Board whether appointed by the State Government or the Board, when acting or purporting to act in pursuance of any of the provisions of this Act, shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (Act XLV of 1860).

42. Procedure for prosecution.—Unless otherwise expressly provided, no Court shall take cognizance of any offence under this Act or under any rules made thereunder except on the complaint of the Board or a person empowered by the Board in this behalf.

43. Bar of legal proceedings.—No suit or other legal proceeding shall lie against any officer or servant of the Board in respect of anything done or purported to have been done in good faith under the provisions of this Act.

44. Dissolution of Board and transfer of its assets and liabilities to any local authority.—(1) When all the townships under this Act have been constructed and developed or have been so far constructed and developed as to render the continued existence of the Board, in the opinion of the State Government, unnecessary, the State Government may after consultation with the Central Government, by notification in the Official Gazette, declare that the Board shall be dissolved on such date as may be specified in the notification, and the Board shall be deemed to be dissolved accordingly.

(2) On and from the said date—

(a) all properties and funds placed at the disposal of the Board, all properties situated within the area of operation which immediately before the said date were held by the Board and all dues realisable by the Board, shall vest in, and be realisable by, such local authority or local authorities as may be constituted by the State Government under any law for the time being in force and specified by a notification or notifications issued in this behalf by the State Government;

(b) all liabilities which, immediately before the said date, were enforceable against the Board shall be enforceable against the said local authorities concerned;

(c) for the purpose of completing the execution of any work undertaken but not fully executed by the Board, and of realising properties, funds and dues referred to in clause (a), the functions of the Board under this Act shall be discharged by the said local authorities concerned; and

(d) the said local authorities concerned shall keep separate accounts of all moneys respectively received and expended by them under this Act, until all loans raised thereunder have been repaid and until all other liabilities referred to in clause (c) have been duly met.

45. Power to make rules.—(1) The State Government may, subject to the condition of previous publication, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the term of office of members, the manner of filling casual vacancies and the allowances or fees to be paid to any member or associate member of the Board;

(b) the terms and conditions of service of officers and servants of the Board under section 11;

(c) the terms and conditions of service of the Administrator under section 12;

(d) the functions and duties of the Administrator;

(e) the manner in which the accounts of the Board shall be maintained and the time at which the accounts shall be audited;

(f) the terms on which loans shall be advanced to persons;

(g) the terms on which a building or site may be sold, leased or let out on hire to any person;

(h) the manner in which the fund and other moneys of the Board shall be invested;

(i) the form in which and the time at which the budget and annual report (including the statement of assets and liabilities) of the Board shall be prepared;

(j) the services of notices and orders under this Act;

(k) any other matter which has to be, or may be prescribed under this Act.

(3) All rules made under this section shall be published in the Official Gazette.

(4) Any rule made by the Board under this Act may provide that a contravention thereof shall be punishable with fine which may extend to five hundred rupees.

46. Powers to make by-laws.—The Board may, after previous publication and with the previous approval of the State Government, make by-laws for determining the procedure for conducting the business of the Board and for such other purposes as the State Government may, from time to time, by general or special order, direct.

47. Repeal and saving.—The Rajpura Development Ordinance, 2006 B.K. (V of 2006 B.K.) is repealed:

Provided that all things done and all action taken purporting to have been done or taken by the body known as the Rajpura Development Board in pursuance of the provisions of the said Ordinance under the belief or purported belief that the said Ordinance was in force and that the said body had been duly constituted thereunder for the purposes of the construction and development of the township at any time before the establishment of the Board under this Act shall, notwithstanding any defect in, or invalidity of, the constitution of the said body, be deemed to be things validly done and action validly taken by the Board established under this Act as if this Act were in force and the Board were in existence at the time when such thing was done or such action was taken.

RAJENDRA PRASAD,

President.

K. V. K. SUNDARAM,

Secy. to the Govt. of India

Reasons for the enactment

It has been found expedient to repeal the Rajpura Development Ordinance, 2006 B.K. and replace it by a comprehensive measure by the inclusion of certain additional provisions, and to validate the acts done or purported to have been done under the said Ordinance. Hence the present Bill. Under the Bill, the scope of the Development Board has been enlarged to cover the entire State thus enabling the State Government to establish more townships for the rehabilitation.

of displaced persons. The number of members of the Board has been increased from five to seven. The Bill also provides for the amounts due to the Board being recovered as arrears of land revenue and for the exercise of control by the State Government over the activities of the Board.

2. The Committee appointed under the proviso to sub-section (2) of section 3 of the Patiala and East Punjab States Union Legislature (Delegation of Powers) Act, 1953 (22 of 1953) has approved the enactment of this measure

C. S. VENKATACHAR,

Secy. to the Govt. of India,

Ministry of States.